



09, 982, 981

May 12, 2004

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: Customized electronic program guide

US File # 20020053084

Filed: January 31, 2002

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20020053084

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a database created (0012) and maintained (0058) at the client level (Set top Box [STB] or PVR) in a client-server ad delivery system. (0009) Appropriate ads are selected through correlation of user profiles (that contain voluntary user actions) with the ad database. (0005) (0010) The ad databases are created locally based on user interaction (0005) or at a remote server and downloaded to local storage (0035) at the STB connected to users' television monitors. Comparing ad profiles to profiles (0008) containing information based on user history, interfacing the a user controlled EPG executable program (0007) or other voluntary user actions or making a channel (content) selection (0005) is tantamount to placing a URL into a browser locator window, that makes a match with ad database data maintained at the computer STB in the remotely controlled and updated STB database and in the event a match is made by comparing, an appropriate advertisement is displayed. Consistently the applicant uses the term "content" and it is important to note that the definition of "content" includes advertisements that are triggered by various user actions. (0055) This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established database at the client level and a targeted ad is displayed.

Disputed Claims are: 1, 2, 4, 5, 8, 18 and others. Basing ad display based upon profile comparisons, channel (content) selections or other voluntary users' actions is no different than selecting a URL in a browser or Keyword in a search engine. Whether a cable TV network or the internet or both, both are electronic communication networks. (0059) The system is described in paragraphs (0005) (0008) (0009) (0010) (0012) (0035) (0055) (0058) (0059) and others.

The abstract reads, "A method for creating an electronic program guide (EPG) is described, A viewer's input to a set top box is monitored. The monitored viewer's